



A G E N D A
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
MARCH 23, 2020
4:00 P.M.

1. Call To Order

2. Invocation - Deputy Fire Chief Keith Martin

3. Pledge Of Allegiance

4. Roll Call

5. Approval Of Minutes

- March 9, 2020 - Regular Council Meeting
- March 16, 2020 - Emergency Special Council Meeting
- March 16, 2020 - Council Work Session Meeting
- March 18, 2020 - Emergency Special Council Meeting
- March 19, 2020 - Special Council Meeting

6. Approval Of Expense Vouchers

7. New Business

A. Ordinance - Amend Code - Prohibit Violation Of Order From State Health Officer

Documents:

[ORD - AMEND CODE - PROHIBIT VIOLATION OF ORDER OF STATE HEALTH OFFICER \(M0295572XB963E\)DJS.PDF](#)
[AGENDA ITEM SUMMARY - AMEND CODE - PROHIBIT VIOLATION OF STATE HEALTH OFFICER ORDER.PDF](#)

B. Resolution - Amend Purchasing Manual

Documents:

[RESO - AMEND PURCHASING MANUAL 2020.PDF](#)

C. Resolution - Accept Professional Services Proposal - Skipper Consulting, Inc.

Documents:

[RESO - ACCEPT PROFESSIONAL SERVICES PROPOSAL - SKIPPER CONSULTING - TRAFFIC SIGNAL DESIGN.PDF](#)

D. Resolution - Award Contract - Civil Southeast LLC - Fort Morgan Trail Improvements

Documents:

RESO - AWARD PROFESSIONAL SERVICES CONTRACT - CIVIL
SOUTHEAST - FORT MORGAN TRAIL IMPROVEMENTS.PDF

- E. Resolution - Confirm Board Reappointments - Personnel Board And Zoning Board Of Adjustments And Appeals

Documents:

RESO - CONFIRM REAPPOINT OF JIM HOWELL - PERSONNEL BOARD
AND ERIN KAISER TO BOARD OF ZONING ADJUSTMENTS AND
APPEALS.PDF

- 8. Committee Reports**
- 9. Staff Reports**
- 10. Hearing Of Persons Not Listed On Formal Agenda**
- 11. Adjourn**

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 11, CRIMINAL CODE, ARTICLE I. IN
GENERAL, BY ADDITION OF SECTION 11-9 TO PROHIBIT VIOLATION OF AN ORDER
OF THE STATE HEALTH OFFICER APPLICABLE WITHIN THE CITY OR POLICE
JURISDICTION AND TO PRESCRIBE PENALTIES FOR VIOLATIONS**

WHEREAS, The City of Gulf Shores is a Class 8 Alabama Municipality which has been vested with a portion of the state's sovereign power to protect the public health, safety and general welfare. *Code of Alabama, 1975, §11-45-1*; and

WHEREAS, the City Council finds that the violation by any person of an Order of the State Health Officer applicable within the corporate limits and police jurisdiction of the City of Gulf Shores or any portion of either will compromise the public health, safety, and general welfare of the City's citizens and visitors; and

WHEREAS, the City Council of Gulf Shores Council finds that in order to protect the public health, safety and general welfare it is necessary to prohibit the violation within the corporate limits and police jurisdiction of the City of any Order of the State Health Officer applicable by its terms to the corporate limits or police jurisdiction of the City, or both.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That Article I of Chapter 11, Criminal Code of the *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended by the addition of Section 11-9 to read in its entirety as follows:

“Sec. 11-9 -- VIOLATION OF ORDER OF THE STATE HEALTH OFFICER APPLICABLE WITHIN CITY OR POLICE JURISDICTION PROHIBITED.

(a) Definitions. As used in this section, the following terms have the indicated meanings:

Order of the State Health Officer means a lawful Order issued by the State Health Officer on behalf of the State Board of Health that by its terms is applicable and in effect within the corporate limits and police jurisdiction of the City or any portion of either.

(b) It shall be unlawful for any person to knowingly violate, or knowingly fail, neglect or refuse to comply with, an Order of the State Health Officer within the corporate limits or police jurisdiction of the City of Gulf Shores.

(c) Any person violating this section shall be guilty of an offense and upon conviction, shall be punished for each offense by a fine of not more than five hundred dollars (\$500.00), imprisonment for a period not exceeding six (6) months, or both.

Section 2. That this Ordinance shall not be interpreted to repeal any other ordinance of the City of Gulf Shores or any provision of the law of Alabama adopted by operation of Section 1-8 of the City's Code of Ordinances.

Section 3. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 23rd day of March, 2020

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC, City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on March 23, 2020 and the same was duly published as required by law.

City Clerk



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: March 20, 2020

TO: Mayor, City Council

FROM: City Administrator

ISSUE: Amend Code of Ordinances at Chapter 11, Criminal Code, Article I. In General, by addition of Section 11-9 to prohibit violation of an Order of the State Health Officer applicable within the city or police jurisdiction and to prescribe penalties for violations.

BACKGROUND: On Thursday, March 19th, the State Health Officer issued a statewide health order to aid in Alabama's efforts to contain the spread of COVID-19. The Order prohibits gatherings of 25 or more and that gatherings of any size shall maintain a consistent six foot distance between persons; a restaurant, bar, brewery or similar establishment shall not permit on-premise consumption of food or drink (take-out or delivery only); all beaches will be closed effective March 19th at 5:00 p.m.; preschools and childcare centers will be closed; all hospitals and nursing homes/long term care facilities shall prohibit visitation of all visitors and non-essential health care personnel, except for certain compassionate care situations (maternity and end of life); and all elective dental and medical procedures shall be delayed, effective immediately.

To clarify the implementation and enforcement of the Order within the corporate limits and police jurisdiction of the city, the attached amendment to the Code of Ordinances was drafted to bring the language of the Code in line with Governor Ivey's mandate and the State Health Department's Order.

RECOMMENDATION: Approval is recommended.

BUDGET IMPLICATIONS: None

RELATED ISSUES: None

ATTACHMENTS: Draft Ordinance

DEPARTMENT: Executive Department

STAFF CONTACT: City Administrator

RESOLUTION NO. -20

**A RESOLUTION
AMENDING THE CITY OF GULF SHORES PURCHASING MANUAL
BY REVISING CERTAIN LANGUAGE IN
CHAPTER 2, CHAPTER 6, AND CHAPTER 8**

WHEREAS, Resolution No. 5662-16, dated April 11, 2016, adopted the Purchasing Manual for the City of Gulf Shores; and

WHEREAS, the Finance and Administrative Services Department, Purchasing Division, finds it appropriate from time to time to revise, amend, and rewrite certain sections of the Purchasing Manual; and

WHEREAS, the City of Gulf Shores Purchasing Manual shall be amended at Chapter II. General Guidelines, Item E; Chapter VI. General Purchasing Procedures, *Item B.1.*; and Chapter VIII. Procedure for Electronic Requisitions/Purchase Orders, *Item A*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That Resolution No. 5662-16, adopting the Purchasing Manual for the City of Gulf Shores, be and it is hereby amended by revising Chapter II. General Guidelines, Item E to read as follows:

CHAPTER II. GENERAL GUIDELINES

* * *

E. In all purchasing situations, except those governed by the State Bid Law, price comparisons are to be obtained from two to three vendors to ensure the City receives quality merchandise at the lowest possible price. Purchases that are exceptions, as allowed by the State Bid Law, will not require price comparisons as described in this section.

The following buying limits for goods and services shall be used to determine how price comparisons are to be made:

<u>Amounts</u>	<u>Request</u>	<u>Method of Pricing</u>
All Goods and Services:		
\$500 – \$2,499.99	No quote	Electronic Purchase Order required.
\$2,500.00 – \$14,999.99	Written	Three (3) written quotations required. List vendor quotes on Electronic Purchase Order, attach to invoice, and turned into Accounting as a packet.
\$15,000 and above		Formal sealed bids (Code of Alabama, Section 41-16-20)

Vehicle & Equipment Exemption:

\$0 – \$5,000 No quote Vehicle & Equipment Repair Exemption –
\$500 and above will need Electronic Purchase Order.

Public Works Contracts:

\$500 - \$2499.99 No quote Electronic Purchase Order required.

\$2500 – \$49,999.99 Written Three (3) written quotations on vendor letterhead
required. List vendor quotes on Electronic Purchase
Order, attach to invoice, and turned into Accounting
as a packet.

\$50,000 and above Written Formal sealed bids (*Code of Alabama*, Section 39-2-2)

Under no condition or circumstance will a purchase be split or invoiced separately in order to make a purchase qualify for a lower expenditure category.

All specifications and vendors’ prices shall include freight charges F.O.B. (Freight On Board) Delivery to Gulf shores. All vendors should be advised at the time prices are obtained that freight charges quoted will be the maximum paid by the City, and under no circumstances will additional freight charges be paid.

* * *

Section 2. That Resolution No. 5662-16, adopting the Purchasing Manual for the City of Gulf Shores, be and it is hereby amended by revising Chapter VI. General Purchasing Procedures, Item B.1. to read as follows:

* * *

CHAPTER VI. General Purchasing Procedures

B. For purchases of \$500 – \$14,999.99
\$500 – \$49,999.99 for Public Works Contracts

1. An Electronic Purchase Requisition (See Section VIII) must be submitted by the employee making a purchase through the Division Supervisor to the Purchasing Division. For purchases above \$2500.00, the purchase requisition must include a summary of quotations received, to include vendor name and pricing.

* * *

Section 3. That Resolution No. 5662-16, adopting the Purchasing Manual for the City of Gulf Shores, be and it is hereby amended by revising Chapter VIII. Procedure for Electronic Requisitions/Purchase Orders, Item A. to read as follows:

CHAPTER VIII. Procedure for Electronic Requisitions/Purchase Orders

A. Before making a purchase of \$500 or more, an employee must submit an electronic purchase requisition. For purchase above \$2500, the purchase requisition must include a summary of quotations received, to include vendor name and pricing.

* * *

Section 4. That this Resolution shall become effective upon its adoption.

ADOPTED this 23rd day of March 2020

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on March 23, 2020.

City Clerk

RESOLUTION NO. -20

A RESOLUTION
AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO
EXECUTE AND ATTEST, RESPECTIVELY,
A PROFESSIONAL SERVICES CONTRACT BETWEEN
THE CITY OF GULF SHORES AND SKIPPER CONSULTING, INC.
TO PERFORM TRAFFIC SIGNAL DESIGN SERVICES
FOR THE INTERSECTION OF EAST 2ND STREET AND HIGHWAY 182
IN AMOUNT NOT TO EXCEED \$16,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA,
WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional service contract between the City of Gulf Shores and Skipper Consulting, Inc. to perform traffic signal design services at the intersection of East 2nd Street and Highway 182 in an amount not to exceed \$16,000.00; in substantially the form presented to Council this date; and

Section 2. That funding for this proposal is included in the \$400,000.00 budgeted in FY 2020, Account 43-879-65530, Highway 182 Improvements; and

Section 3. That this Resolution shall become effective upon its adoption.

ADOPTED this 23rd day of March, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on March 23, 2020.

City Clerk

RESOLUTION NO. -20

**A RESOLUTION
AUTHORIZING AND DIRECTING THE
MAYOR AND CITY CLERK TO EXECUTE
AND ATTEST, RESPECTIVELY, A PROFESSIONAL
SERVICES CONTRACT BETWEEN THE CITY OF GULF SHORES
AND CIVIL SOUTHEAST LLC
RELATED TO THE FORT MORGAN TRAIL IMPROVEMENT PROJECT
IN AN AMOUNT NOT TO EXCEED \$43,700.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional services contract between the City of Gulf Shores and Civil Southeast LLC for construction, engineering and inspection services related to the Fort Morgan Trail Improvements Project in an amount not to exceed \$43,700.00; in substantially the form presented to Council this date; and

Section 2. Funding for the CE&I services are included in the \$500,000 budgeted for Fort Morgan Trail Improvements in Account #43-879-65500.

Section 3. That this Resolution shall become effective upon its adoption.

ADOPTED this 23rd day of March, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on March 23, 2020.

City Clerk

RESOLUTION NO. -20

**A RESOLUTION
REAPPOINTING JIM HOWELL
TO THE PERSONNEL BOARD
TO SERVE A FULL TERM OF THREE YEARS
ENDING ON MARCH 27, 2023 AND REAPPOINTING ERIN KAISER
TO THE BOARD OF ZONING ADJUSTMENTS AND APPEALS
TO SERVE A FULL TERM OF THREE YEARS ENDING ON JANUARY 7, 2023**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That Jim Howell be and he hereby is reappointed to the Personnel Board, to serve a full term of three years ending on March 27, 2023.

Section 2. That Erin Kaiser be and he hereby is reappointed to the Zoning Board of Adjustments and Appeals, to serve a full term of three years ending on January 7, 2023.

Section 3. That this Resolution shall become effective upon its adoption.

ADOPTED this 23rd day of March, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on March 23, 2020.

City Clerk